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OCT 05 2001

U.S. DEPARTMENT OF ENERGY

PUBLIC HEARING

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~~OCTOBER~~ ~~SEPTEMBER~~ 5 & 12, 2001
FALLON, NEVADA

The U.S. Department of Energy is faced with a formidable task in determining the suitability of Yucca Mountain as the nation's first underground geologic repository. Storage of the nation's spent nuclear fuel and high-level nuclear waste must ensure long-term isolation without necessarily relying upon future institutional or governmental control.

Yucca Mountain today remains extremely unpopular among a majority of Nevadans. It's probably one of the largest, most unpopular federal projects ever conceived in that no state would want to host such a facility. It is in effect a solution for many areas of the country and yet another contribution to Nevada's long and disproportional burden as host for many of the Nation's nuclear related programs. Beginning some fifty years earlier with the

weapons testing program and continuing today as one of the country's larger storage facilities for low-level radioactive wastes, the Nevada Test Site has become a large dumping ground.

During the weapons testing program, historical accounts portray Nevada's sense of purpose and obligation as this country raced for nuclear supremacy over its cold war enemies. That sense of obligation and purpose was reduced to political convenience with the passage of the 1987 Nuclear Waste Policy Amendments Act that targeted Yucca Mountain as the only site to be studied for a geologic repository.

Although DOE has spent some 15 years studying Yucca Mountain, we remain concerned about recent activities that appear to have more focus on meeting politically imposed schedules than determining without question Yucca Mountain's ability to isolate dangerous materials.

Still today the project does not have a final design. Instead, DOE wants to continue to rely upon what has been conveniently termed "flexible" design concepts and boundary analysis in attempts to

quantify unknowns and uncertainties about repository performance. There remain uncertainties associated with high thermal load designs and the ability of engineered barriers systems to contain waste over the regulatory period of compliance.

As originally envisioned the Yucca Mountain host rock was supposed to isolated waste from the human environment. Instead we now have a repository that relies almost entirely on manmade barrier systems to contain wastes. DOE insist on, or is being forced, into moving forward when there is no conclusive evidence with regard to waste package performance, particularly with respect to waste package corrosion rates. At best, DOE can only claim that expert solicitation or what is otherwise known as an "informed opinion", finds no reason to believe the waste packages would fail, or more importantly, fail prematurely resulting in a release of radioactive materials.

With the acknowledgement that the repository rock cannot by itself contain wastes, the public and more importantly the public in Nevada, is asked to place their confidence in a host of models that

are supposed to predict repository performance for a period of at least 10,000 years into the future. The use of models add yet another layer of uncertainty. It has now become a question of when and how much radiation will reach the accessible environment.

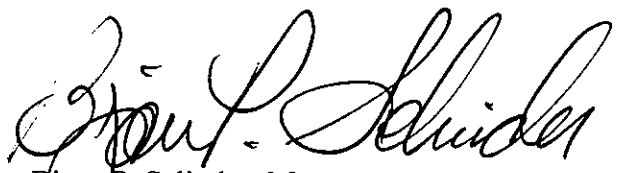
These few examples clearly support the notion that DOE is not ready for a site recommendation. We do not believe that DOE has met the threshold needed to ensure the long-term isolation of spent nuclear fuel and high-level nuclear waste. The site recommendation should be postponed until such time that DOE has developed a firm proposal for the repository design and can provide supportable evidence without the somewhat long list of uncertainties and unknowns currently associated with the characterization program and the ability to model future performance.

In closing, I would also note that according to DOE, the repository is capable of being built and operated without substantial risk to the public. In fact, the Yucca Mountain Draft EIS may well

suggest that the transportation component poses the greatest exposure risk. Yet, DOE fails to provide a comprehensive national transportation proposal for waste shipments to a repository. For example, I believe, that the DOE Draft EIS showed that rail transportation of waste would be overall safer than truck, but there is no policy recommendation.

It may, in my opinion, be a mistake to allow individual generator sites and even states to select what would become the most politically acceptable modes and routes for repository shipments. We may ultimately develop a spider-web network of routes passing through all areas of the country that results in even greater risks, higher costs, and a less efficient and reliable transportation program.

Thank you for the opportunity to comment.



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